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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

AT&T INTELLECTUAL PROPERTY I, L.P. and
AT&T INTELLECTUAL PROPERTY II, L.P.,

Plaintiffs,

v.

TIVO INC.,

Defendant.

**JOINT STIPULATION TO AMEND
INVALIDITY CONTENTIONS
PURSUANT TO PATENT L.R. 3-6**

Case No. 4:10-CV-01059-SBA

TIVO INC.,

Counterclaim Plaintiff,

v.

AT&T INTELLECTUAL PROPERTY I, L.P. and
AT&T INTELLECTUAL PROPERTY II, L.P.,

Counterclaim Defendants.

I. AMENDMENT TO TIVO'S INVALIDITY CONTENTIONS PURSUANT TO PATENT L.R. 3-6

On August 23, 2010, Defendant TiVo Inc. served its Invalidity Contentions on Plaintiffs AT&T Intellectual Property I, L.P. and AT&T Intellectual Property II, L.P. In preparing its Proposed Terms for Construction, Defendant learned that it had inadvertently not included the following claim element under its §§ 101 and 112 defenses for claim 9 of U.S. Patent No. 6,983,478: "A method for journaling information about subscriber use of a media delivery network for delivering programming and a merge processor for analyzing the resulting journaled information, the method comprising the steps of."

Defendant requested and Plaintiffs agreed to allow Defendant to amend its Invalidity Contentions to include the above-cited element of claim 9 under its §§ 101 and 112 defenses.

II. STIPULATION

THEREFORE, THE PARTIES HEREBY STIPULATE, by and through their respective counsel, and respectfully request that the Court find that Defendant has satisfied the good cause requirement of Patent L.R. 3-6, and that Defendant shall be permitted to amend its Invalidity Contentions to include the above-cited element of claim 9 under its §§ 101 and 112 defenses.

1 Dated: September 15, 2010

/s/ Kevin E. Cadwell

Kevin E. Cadwell

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8 Attorneys for Plaintiffs AT&T Intellectual
Property I, L.P. and AT&T Intellectual Property
9 II, L.P.

10 Dated: September 15, 2010

/s/ Azar Mouzari


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18 Attorneys for Defendant TiVo Inc.

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20 PURSUANT TO STIPULATION, IT IS SO ORDERED

21
22 Date: 9/17/10

23 
Hon. Sandra B. Armstrong
24 United States District Judge
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ATTESTATION OF CONCURRENCE

I hereby attest that concurrence in the filing of the document has been obtained from each of the other signatories in lieu of their signature(s) on the document.

By: /s/ Azar Mouzari
Azar Mouzari

CERTIFICATE OF SERVICE

I hereby certify that on September 15, 2010, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses on file with the Clerk of Court.

By: /s/ Azar Mouzari
Azar Mouzari